

Message Text

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ACTION OES-06

INFO OCT-01 EUR-12 ISO-00 FEA-01 ACDA-07 CIAE-00
INR-07 IO-13 L-03 NSAE-00 NSC-05 EB-08 NRC-05
DODE-00 ERDA-05 PM-04 SP-02 SS-15 SSO-00 NSCE-00
INRE-00 /094 W

-----250642Z 104364 /20/45

O 211728Z APR 77 CORRECTED COPY MRN
FM AMEMBASSY MADRID
TO SECSTATE WASHDC IMMEDIATE 9893

C O N F I D E N T I A L MADRID 3122

C O R R E C T E D C O P Y MRN (3122 VICE 3068)

E.O.11652:GDS

TAGS: TECH, ENRG SP

SUBJECT: US SPANISH NUCLEAR COOPERATION

REF: STATE 86369 MADRID 2020

1. I MET WITH FONMIN DIRECTOR GENERAL TECHNICAL
COOPERATION BARROSOS APRIL 20 TO WORK OUT FINAL
LANGUAGE FOR PROPOSED SPANISH NOTE ON NON US ORIGIN
FUEL REPROCESSING AND I HAVE NOW RECEIVED SUCH
NOTE DATED APRIL 20 WHICH I BELIEVE GIVES US THE
ASSURANCES WE SEEK AND SATISFIES THE CONCERNS
MENTIONED IN STATE 86369. TEXT OF THE NOTE IN
SPANISH (NOTA VERBALE NO 129. IS AS FOLLOWS:
"EL MINISTERIO DE ASUNTOS EXTERIORES SALUDA
ATENTAMENTE A LA EMBAJADA DE LOS ESTADOS UNIDOS DE
AMERICAN EN MADRID Y TIENE EL HONOR DE REFERIRSE A LA
EXCELENT COOPERACION ENTRE NUESTROS DOS GOVERNOS EN
EL CAMPO DE LOS USOS PACIFICOS DE LA ENERGIA NUCLEAR.
EL GOBIERNO DE ESPANA COMPARTE CON EL GOBIERNO DE LOS
ESTADOS UNIDOS LA CREENCIA DE QUE LA COOPERACION
NUCLEAR ENTRE LAS NACIONES DEL MUNDO DEBE REALIZARSE
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DE MODO QUE SE ASEGURE QUE COOPERACION NO DON-
DUZA A LA PROLIFERACION DE ARMAS NUCLEARES. EN RE
CONCOMINETO DE ESTE HECHO Y DE LA MUTUA IMPORTANCIA
QUE LOS DOS GOBIERNOS ASIRVEN A LAS MEDIDAS QUE
TENDEN A PROMOVER OBJETIVOS ANTIPROLIFERACION, EL
GOBIERNO DE ESPANA DESEA APROVECHAR ESTA OPORTUNIDAD
PARA INFORMAR AL GOVERNO DE LOS ESTADOS UNIDOS DE

AMERICA QUE, ANTES DE QUE TENGA LUGAR LA RELABORACION
O ALTERACION EN FORMA O EN CONTENIDO DE CUALQUIER C
COMBUSTIBEL NUCLEAR QUE SEA IRRRADIADO EN REACTORES
SUMINISTRADOS POR LOS ESTADOS UNIDOS, Y AL QUE NO SEA
APLICABLE EL ARTICULO 8, PARRAFO C DEL ACUERDO DE
COOPERACION ENTRE NUESTROS DOS GOBIERNOS CONCERNIENTE
A LOS USOS CIVILES DE LA ENERGIA ATOMICA, Y EN TANTO
NO ENTREN EN VIGOR UN NUEVO ACUERDO ENMIENDAS AL
EXISTENTE, EL GOBIERNO DE ESPANA CONSULTARA CON EL
GOBIERNO DE LOS ESTADOS UNIDOS Y LLEGARA CON EL A UN
ACUERDO SOBRE LAS INSTALACIONES DONDE TAL REELAVOTACION
O ALTERACION SE REALICEN, EL GOBIERNO DE ESPANA
ENTIENDE QUE LAS NEGOCIACIONES PARA REVISAR EL ACUER
DO DE COOPERATION FIRMADO EL 20 DE MARZO DE 1974.
COMENZARAN NO MAS TARDE DE 1 DE NOVIEMBRE DE 1977
EN EL NUEVO ACUERDO O EN EL ENMENDADO SE TOMARAN
PROVISIONES PARA EVITAR PERJUICIOS AL DESARROLLO
ECONOMICO O TECNOLOGICO DE LAS PARTES O A LA COOPERACION
INTERNACIONAL EN EL CAMPO DE LA ENERGIA NUCLEAR
INCLUSIVE EL INTERCAMBIO INTERNACIONAL DE MATERIAL Y
EQUIPOS NUCLEARES.
UNA VEZ INICIADAS LAS NEGOCIACIONES, Y SI DESPUES
DE UN PERIODO RAZONABLE DE TIEMPO CUALQUIERA DE LAS
PARTES NO VIERA POSIBILIDAD DE ILLEGAR A UN ACUERDO,
DEPUES DE EVACUAR CONSULATAS CON LA OTRA PARTE, PODRE
DAR POR TERMINADA LA VALIDEZ DE ESTA NOTA.
(STANDARD CLOSING)

2. AN INFORMAL EMBASSY TRANSLATION OF TEXT IS AS
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FOLLOWS:

" THE MINISTRY OF FOREIGN AFFAIRS PRESENTS ITS
COMPLIMENTS TO THE EMBASSY OF THE UNITED STATES OF AMERICA
IN MADRID AND HAS THE HONOR TO REFER TO THE
EXCELLENT COOPERATION BETWEEN OUR TWO GOVERNMENTS IN
THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY. THE
GOVERNMENT OF SPAIN SHARES WITH THE GOVERNMENT
OF THE UNITED STATES THE BELIEF THAT NUCLEAR COOPERATION
BETWEEN THE NATIONS OF THE WORLD MUST BE CONDUCTED
IN A MANNER TO ENSURE THAT SUCH COOPERATION DOES NOT
LEAD TO THE PROLIFERATION OF NUCLEAR WEAPONS. IN
RECOGNITION OF THIS FACT AND OF THE MUTUAL IMPORTANCE
THAT THE TWO GOVERNMENTS ATTACH TO MEASURES
WHICH ADVANCE NON PROLIFERATION OBJECTIVES THE GOVERNMENT
OF SPAIN WISHES TO AVAIL ITSELF OF THE OPPORTUNITY
TO INFORM THE GOVERNMENT OF THE UNITED STATES OF AMERICA,
THAT BEFORE THE REPROCESSING OR ALTERATION IN FORM OR
IN CONTENT OF ANY NUCLEAR FUEL IRRADIATED IN REACTORS
SUPPLIED BY THE UNITED STATES TAKES PLACE, AND WHICH

ARTICLE 8, PARAGRAPH C OF THE AGREEMENT FOR COOPERATION BETWEEN OUR TWO GOVERNMENTS CONCERNING THE CIVIL USES OF ATOMIC ENERGY IS NOT APPLICABLE, AND PENDING ENTRY INTO FORCE OF A NEW AGREEMENT OR AMENDMENTS TO THE EXISTING ONE, THE GOVERNMENT OF SPAIN WILL CONSULT WITH AND REACH AGREEMENT WITH THE GOVERNMENT OF THE UNITED STATES ON THE FACILITIES IN WHICH SUCH REPROCESSING OR ALTERATION WILL BE PERFORMED. THE GOVERNMENT OF SPAIN UNDERSTANDS THAT THE NEGOTIATIONS TO REVISE THE AGREEMENT FOR COOPERATION SIGNED ON MARCH 20, 1974, WILL COMMENCE NO LATER THAN NOVEMBER 1, 1977. IN THE NEW AGREEMENT OR IN THE AMENDED ONE PROVISIONS WILL BE TAKEN TO AVOID PREJUDICING THE ECONOMIC OR TECHNOLOGICAL DEVELOPMENT OF THE PARTIES OR INTERNATIONAL COOPERATION IN THE FIELD OF NUCLEAR ENERGY INCLUDING THE INTERNATIONAL EXCHANGE OF NUCLEAR MATERIAL AND EQUIPMENT.

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ONCE NEGOTIATION STARTS AND IF AFTER A REASONABLE PERIOD OF TIME, EITHER OF THE PARTIES SEES NO POSSIBILITY OF REACHING AN AGREEMENT FOLLOWING CONSULTATION WITH THE OTHER PARTY, IT MAY CONSIDER THE VALIDITY OF THIS NOTE TERMINATED (STANDARD CLOSING)

3. DEPARTMENT WILL NOTE THAT THE REFERENCES TO NUCLEAR FUELS COVERED BY ARTICLE 8, PARAGRAPH C OF THE BILATERAL AGREEMENT HAS BEEN INCLUDED IN THE FIRST PARAGRAPH. THE PHRASE "PRECISE GUARANTEES" HAS BEEN DROPPED FROM THE SECOND PARAGRAPH. HOWEVER IN THAT SAME PARAGRAPH, THE FONMIN DID HAVE DIFFICULTY TRANSLATING THE PHRASE "PRECISION.... WILL BE DESIGNED" AS SUGGESTED BY STATE REFTEL. AFTER CAREFUL CONSIDERATION OF SEVERAL FORMULATIONS THE FONMIN ARRIVED AT THE PHRASE "EN EL NUEVO ACUERDO O EN EL ENMIENDADO SE TOMARAN PROVISIONES PARA EVITAR PREJUDICIOS AL DESARROLLO ECONOMICO...." BARROSO ASSURES ME THAT THIS WORDING BEST AND MOST ACCURATELY CONVEYS THE MEANING OF THE PHRASE IN ENGLISH AND I HAVE AGREED TO THIS CONSTRUCTION. FONMIN ACCEPTING WORDING FOR TERMINATING CLAUSE AS GIVEN IN STATE 86369

4. ORIGINAL OF NOTE VERBAL IS BEING FORWARDED TO THE DEPARTMENT. STABLER

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NNN

Message Attributes

Automatic Decaptioning: X
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Sent Date: 21-Apr-1977 12:00:00 am
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Disposition Approved on Date:
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Secure: OPEN
Status: NATIVE
Subject: US SPANISH NUCLEAR COOPERATION
TAGS: TECH, ENRG, SP, US
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Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/a8efb0a1-c288-dd11-92da-001cc4696bcc
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